

Union Calendar No. 406

108TH CONGRESS
2D SESSION

H. R. 4617

[Report No. 108-666, Part I]

To amend the Small Tracts Act to facilitate the exchange of small tracts of land, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2004

Mr. DOOLITTLE introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER 8, 2004

Reported from the Committee on Resources with amendments

[Strike out all after the enacting clause and insert the part printed in *italie*]

SEPTEMBER 8, 2004

Referral to the Committee on Agriculture extended for a period ending not later than September 8, 2004

SEPTEMBER 8, 2004

Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on June 18, 2004]

A BILL

To amend the Small Tracts Act to facilitate the exchange of small tracts of land, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. INTERCHANGES.**

4 (a) *AUTHORITY.*—*Secretary of Agriculture shall com-*
 5 *plete the following interchanges:*

6 (1) *An acquisition from Irving N. Christensen of*
 7 *that portion of SW¹/₄NW¹/₄ Section 16, T.19N., R.9E.,*
 8 *MDM., lying southwesterly of California State High-*
 9 *way 49 and all that portion of S¹/₂NE¹/₄ Section 17,*
 10 *T.19N., R.9E., MDM., lying southwesterly of Cali-*
 11 *fornia State Highway 49 and northeasterly of the*
 12 *North Fork Yuba River, through interchange of an*
 13 *approximately equal value of National Forest System*
 14 *land lying northerly of California State Highway 49*
 15 *within the N¹/₂N¹/₂ Section 17, T.19N., R.9E., MDM.*
 16 *The Federal land to be interchanged within the speci-*
 17 *fications of this paragraph shall be agreed upon by*
 18 *the Forest Supervisor and Irving N. Christensen.*

19 (2) *An acquisition from Dennis W. McCreary*
 20 *and Cindy M. McCreary of a portion of Lot 19, Sec-*
 21 *tion 35, T. 20 N., R. 10 E, MDM in Downieville, Si-*
 22 *erra County, California, through interchange of a*
 23 *portion of National Forest System land in Lot 121,*
 24 *Section 35, T. 20 N., R. 10 E, MDM in Downieville,*
 25 *Sierra County, California. The Federal land to be*

1 *interchanged within the specifications of this para-*
 2 *graph shall be agreed upon by the Forest Supervisor*
 3 *and Dennis W. McCreary and Cindy M. McCreary.*

4 *(b) DESCRIPTIONS.—The Secretary may modify the*
 5 *descriptions in section (a) to correct errors or to reconfigure*
 6 *the properties in order to facilitate a conveyance.*

7 *(c) CONSIDERATION.—Consideration for a sale of land*
 8 *under this section may include cash, land, or a combination*
 9 *of both.*

10 *(d) VALUATION.—Any appraisals of land deemed nec-*
 11 *essary or desirable by the Secretary to carry out the pur-*
 12 *poses of this Act shall conform to the Uniform Appraisal*
 13 *Standards for Federal Land Acquisitions.*

14 *(e) CASH EQUALIZATION.—Notwithstanding any other*
 15 *provision of law, the Secretary may accept a cash equali-*
 16 *zation payment in excess of 25 percent of the value of any*
 17 *land exchanged under this subsection.*

18 *(f) WITHDRAWAL.—Subject to valid existing rights, all*
 19 *lands described in section (b) are withdrawn from location,*
 20 *entry, and patent under the mining laws of the United*
 21 *States.*

22 **SEC. 2. RECEIPTS.**

23 *(a) DEPOSIT INTO FUND.—*

24 *(1) The Secretary shall deposit the net receipts*
 25 *of an exchange under this Act in the fund established*

1 *by Public Law 90–171 (commonly known as the*
2 *“Sisk Act”, 16 U.S.C. 484a).*

3 *(2) Receipts from any exchange pursuant to this*
4 *Act shall not be paid or distributed to the State or*
5 *counties under any provision of law, or otherwise*
6 *deemed as moneys received from the National Forest*
7 *for purposes of the Act of May 23, 1908, or the Act*
8 *of March 1, 1911 (16 U.S.C. 500, as amended), or the*
9 *Act of March 4, 1913 (16 U.S.C. 501, as amended).*
10 *(b) USE OF THE FUNDS.—Funds deposited pursuant*
11 *to subsection (a) shall be available for expenditure, without*
12 *further appropriation, for the acquisition of real property*
13 *or interest in property for National Forest purposes in the*
14 *State of California.*

Amend the title so as to read: “A bill to facilitate the exchange of small tracts of land, and for other purposes.”.

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